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Tempe City Council  
January 4, 2007

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Councilmember Shekerjian
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Ellis
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – December 14, 2006
    2. Council's Issue Review Session – December 14, 2006 [20070104clrkck02.pdf](#)
    3. Council's Formal Meeting – December 14, 2006 [20070104clrkck01.pdf](#)
    4. Council's Tourism & Amateur Sports Committee – December 13, 2006  
[20070104tasc01.pdf](#)
    5. Council's Transportation & Affordable Housing Committee – December 19, 2006  
[20070104tahc01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    6. Aviation Commission – October 12 & November 9, 2006 [20070104tavco01.pdf](#)  
[20070104tavco02.pdf](#)
    7. Apache Boulevard Project Area Committee – November 13, 2006  
[20070104apac01.pdf](#)
    8. Community Special Events Task Force – December 19, 2006 [20070104setf01.pdf](#)
    9. Enhanced Services Commission – October 11, 2006 [20070104esc01.pdf](#)
    10. Hearing Officer – November 7 & 21, December 5 & 19, 2006 [20070104ho01.pdf](#)  
[20070104ho02.pdf](#) [20070104ho03.pdf](#) [20070104ho04.pdf](#)
    11. Historic Preservation Commission – November 9, 2006 [20070104hpc01.pdf](#)
    12. Library Advisory Board – November 6, 2006 [20070104lab01.pdf](#)
    13. Municipal Arts Commission – October 11 & November 8, 2006 [20070104mac01.pdf](#)  
[20070104mac02.pdf](#)
    14. Rio Salado Advisory Commission – October 24, 2006 [20070104rsac01.pdf](#)
    15. Tempe Police Public Safety Personnel Retirement Board – December 7, 2006
    16. Tempe Police Public Safety Personnel Retirement Board Executive Session –  
December 11, 2006
    17. Tempe Sports Authority – October 17, 2006 [20070104tsa01.pdf](#)

18. Transportation Commission – November 14, 2006 [20070104tc01.pdf](#)
19. Transportation Commission Public Involvement/Marketing Committee – October 2, 2006 [20070104tcpim01.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
  - CARE 7
  - Board and Commission Appointments [20070104boards.pdf](#)
- B. Manager's Announcements

#### 5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

##### A. Miscellaneous Items

20. Request approval of the Report of Claims Paid to be filed for audit for the weeks of June 18 & 25 and July 2, 9 & 16, 2006.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

**APPROVED**

21. Request approval authorizing the Mayor to execute a license agreement between TCG Phoenix and the City of Tempe for the continued use of the City's rights-of-way to provide intrastate telecommunication services.

**DOCUMENT NAME:** [20070104ITDH01.pdf](#) TCG PHOENIX (0802-15)

**APPROVED**

22. Request approval to modify the grant agreement for an architectural, engineering and

historical assessment of the Eisendrath House.

**DOCUMENT NAME:** [20070104cdnc01.pdf](#) **COMMUNITY DEVELOPMENT  
ADMIN. (0406)**

**APPROVED**

- \*23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Giovanni Pizza, Inc., dba Giovanni Pizza Bistro, 37 W. Baseline Road.

**COMMENTS:** John Collura, Agent  
**DOCUMENT NAME:** [20070104LIQ1.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*24. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for Devil Dogs, Inc., dba Devil House, 829 South Rural Road.

**COMMENTS:** Victor Tellez, Agent  
**DOCUMENT NAME:** [20070104LIQ2.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*25. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Island Roots Guamanian Cuisine, LLC, dba Island Roots Guamanian Cuisine, 1285 W. Elliot Road.

**COMMENTS:** Frank Castro, Agent  
**DOCUMENT NAME:** [20070104LIQ3.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

**B. Award of Bids/Contracts**

26. Request to award a one-year contract with two (2) one-year renewal options to Rotonics Manufacturing, Inc., for plastic refuse containers and replacement lids.

**COMMENTS:** Total cost for this contract shall not exceed \$50,000 during the initial contract period.  
**DOCUMENT NAME:** [20070104fsta05.pdf](#) **PURCHASES (1004-01) IFB  
#07-032RB**

**APPROVED**

27. Request to award a one-year contract with two (2) one-year renewal options to

Carmanah Technologies Corporation for solar lighting for bus shelters.

**COMMENTS:** Total cost for this contract shall not exceed \$125,000 during the initial contract period.

**DOCUMENT NAME:** [20070104fslg08.pdf](#) PURCHASES (1004-01) RFP #07-083

**APPROVED**

28. Request to award a two-year contract with two (2) one-year renewal options to Bikestation Coalition for two-tiered indoor bicycle racks for the Transportation Center.

**COMMENTS:** Total cost for this contract shall not exceed \$75,000 during the initial contract period.

**DOCUMENT NAME:** [20070104fslg09.pdf](#) PURCHASES (1004-01) (RFP #07-069)

**APPROVED**

29. Request to award a five-year contract to ScottBlue Reprographics for the lease of Xerox wide format printers and scanners.

**COMMENTS:** Total cost for this contract shall not exceed \$165,000 during the contract period.

**DOCUMENT NAME:** [20070104fst11.pdf](#) PURCHASES (1004-01) (IFB #07-072)

**APPROVED**

30. Request approval of a professional services contract with A Dye Design, Inc., for the Playa Del Norte – Drive and Park Project.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$68,387.

**DOCUMENT NAME:** [20070104PWTG03.pdf](#) RIO SALADO PARK (0706-32) PROJECT NO. 6502421

**APPROVED**

31. Request approval of a professional services contract with Bernard Deutsch and Associates, Inc., for Fire Station No. 4 and Tempe Fire Training Facility additions and renovations.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$108,600.

**DOCUMENT NAME:** [20070104PWTG04.pdf](#) FIRE STATIONS –

**MAINTENANCE/IMPROVEMENTS (1001-08) PROJECT NO. 5602531**

**APPROVED**

32. Request approval of an addendum to a professional services contract with Durrant for the Water Utilities Department security and communications improvement project.

**COMMENTS:** Subject to the execution of the final written addendum in an amount not to exceed \$57,520.

**DOCUMENT NAME:** [20070104PWTG01.pdf](#) **WATER MANAGEMENT ADMINISTRATION (0811-13) PROJECT NO. 3201024**

**APPROVED**

33. Request approval of an addendum to the professional services contract with OTAK, Inc., for the Tempe Transportation Center Facility.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$72,513.

**DOCUMENT NAME:** [20070104PWTG02.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 60-976762**

**APPROVED**

34. Request approval of a one-year contract renewal with Coyote Tire for tire recapping services.

**COMMENTS:** Total amount not to exceed \$110,000 during the contract period.

**DOCUMENT NAME:** [20070104fsta01.pdf](#) **PURCHASES (1004-01) T03-067-01**

**APPROVED**

35. Request approval of a one-year contract renewal with Mountain States Wholesale Nursery for trees, shrubs, ground covers and flowers.

**COMMENTS:** Total amount not to exceed \$60,000.

**DOCUMENT NAME:** [20070104fslg07.pdf](#) **PURCHASES (1004-01) T03-053-01**

**APPROVED**

36. Request approval of a one-year contract renewal with Contractors West for traffic pole foundations.

**COMMENTS:** Total amount not to exceed \$80,000.  
**DOCUMENT NAME:** [20070104fslq10.pdf](#) **PURCHASES (1004-01)** (T04-013-02)

**APPROVED**

37. Request approval of a one-year contract renewal with Motorola, Inc., for 800 MHz digital radio subscriber equipment.

**COMMENTS:** Total amount shall not exceed \$2,000,000.  
**DOCUMENT NAME:** [20070104fsts12.pdf](#) **PURCHASES (1004-01)** P03-011

**APPROVED**

38. Request approval of a one-year contract renewal with Creative Communications for the purchase of Motorola communications equipment and services.

**COMMENTS:** Total amount not to exceed \$700,000.  
**DOCUMENT NAME:** [20070104fsts13.pdf](#) **PURCHASES (1004-01)** T06-071-01

**APPROVED**

39. Request approval to increase by \$135,000 the contract amount with Western International University for an educational partnership for all eligible city employees

**COMMENTS:** Increase from \$235,200 to \$370,200.  
**DOCUMENT NAME:** [20070104fsta02.pdf](#) **PURCHASES (1004-01)** T05-023-01

**APPROVED**

40. Request approval to increase by \$50,000 the contract amount with Stanley Security Systems for Hirsch Card Access System components and service used by the Public Works Department.

**COMMENTS:** Increase from \$200,000 to \$250,000.  
**DOCUMENT NAME:** [20070104fsta03.pdf](#) **PURCHASES (1004-01)** T05-095-01

**APPROVED**

41. Request approval to increase by \$62,295 the contract amount with Southern Truck Equipment, Inc., Drake Truck and Trailer, and Auto Safety House for vehicle bodies.

**COMMENTS:** Increase from \$98,900 to \$161,195.

**DOCUMENT NAME:** [20070104fsta04.pdf](#) **PURCHASES (1004-01) #T06-155-01, T06-155-02, T06-155-03**

**APPROVED**

42. Request approval to utilize a one-year City of Mesa contract with Rehrig Pacific Company for 65 and 90 gallon refuse containers.

**COMMENTS:** Total amount not to exceed \$100,000.

**DOCUMENT NAME:** [20070104fsta06.pdf](#) **PURCHASES (1004-01) City of Mesa Bid #2002205**

**APPROVED**

43. Request approval to utilize an Arizona State Contract for the renewal of the City's annual Gartner "EXP" Executive Services and Research Program agreement.

**COMMENTS:** Total cost of this award shall not exceed \$34,500.

**DOCUMENT NAME:** [20070104ITD01.pdf](#) **BACKGROUND MAT'L FOR PURCHASE AGRMTS (1004-01) (AD990090-001-A11)**

**APPROVED**

C. Ordinances and Items for Introduction/First Hearing - None.

D. Ordinances and Items for Second Hearing/Final Adoption

- \*44. This is the **second public hearing** for a Code Text Amendment for ZONING AND DEVELOPMENT CODE AMENDMENTS.

**COMMENTS:** (City of Tempe, applicant) (PL060592) for changes to the Code for new provision items including allowing residential in the RCC district, outdoor display, single-family access points, construction signs, and modifying parking standards. Other items include amendments to home occupations, signs, variance criteria, modified approvals, definitions for "density", Commission terms, and parking setbacks, including the following request:

**ZOA06004 – (Ordinance No. 2006.82) Zoning Ordinance Amendment amending Sections 1-312, 3-202, 3-412, 3-418, 4-203, 4-502, 4-903, 5-403, 6-304, 6-309, 6-312, and 7-105.**

**DOCUMENT NAME:** [20070104dsrl02.pdf](#) **ZONING AND DEVELOPMENT CODE (0414)**

**APPROVED**

- \*45. This is the **second public hearing** for a Zoning Map Amendment for PERRY PLACE CONDOMINIUMS at 1949 East University Drive.

**COMMENTS:** (AGI Investors LLC, property owner; William Bannister, Bannister Development LLC, applicant) (PL060609) for the development of 156 new condominium units, located at 1949 East University Drive, in the R/O, R-3 and CSS District, including the following request:

**ZON06012 – (Ordinance No. 2006.88)** Zoning Map Amendment from R/O, Residential/Office District; R-3, Multi-Family Residential Limited District; and CSS, Commercial Shopping and Service District to R-4, Multi-Family Residential General District on 6.36 acres.

**DOCUMENT NAME:** [20070104dsrl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

- \*46. This is the **second public hearing** for an ordinance to authorize the Mayor to execute a development agreement with ZACHER DEVELOPMENT COMPANY L.L.C. and WILLIAM CONNELLY for the sale of real property and dedication of a street and landscape easement.

**DOCUMENT NAME:** [20070104cdcm01.pdf](#) **COMMUNITY DEVELOPMENT/REDEVELOPMENT ADM (0403-1) ORDINANCE NO. 2007.02**

**APPROVED**

- \*47. This is the **second public hearing** for an ordinance to amend Chapter 32 of the Tempe City Code relating to towing from private property.

**DOCUMENT NAME:** [20070104pwcdl01.pdf](#) **TCC CH 32 - TOWING (0503-32) ORDINANCE NO. 2006.77**

**APPROVED**

E. Resolutions

48. Request approval of a resolution amending Tempe City Code, Appendix A – Schedule of Fees and Charges, Chapter 32, Towing, relating to the fees for towing rates from private property.

**DOCUMENT NAME:** [20070104pwcdl02.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2007.01**

**APPROVED**

49. Request approval of a resolution certifying compliance with the Consolidated Plan and administrative commitment supporting an application for Federal Home Funds by Newtown Community Development Corporation for fiscal years 2007/2008.

DOCUMENT NAME: [20070104cdlc01.pdf](#) COMMUNITY DEVELOPMENT  
(0403-01) RESOLUTION 2007.02

**APPROVED**

**6. PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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